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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARTIN VOGEL and KENNETH
MAHONEY, on Behalf of Themselves and
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,
FRED ANDERSON, WILLIAM V.
CAMPBELL, MILLARD S. DREXLER,
ALBERT GORE, JR., ARTHUR D.
LEVINSON, JEROME B. YORK AND
APPLE COMPUTER, INC.

Defendants.

Case No. C-06-05208-JF

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS
CONSOLIDATED CLASS ACTION
COMPLAINT**

1 On September 7, 2007, the Motion to Dismiss Consolidated Class Action Complaint
2 brought by defendants Apple Inc. ("Apple"), Steven P. Jobs, William V. Campbell, Millard S.
3 Drexler, Arthur D. Levinson, Jerome B. York, Fred D. Anderson, Gareth C.C. Chang, Peter O.
4 Crisp, Lawrence J. Ellison, B. Jurgen Hintz, Katherine M. Hudson, Delano E. Lewis, A.C.
5 Markkula, Jr., and Edgar S. Woolard, Jr. ("defendants") came on regularly for hearing before the
6 Honorable Jeremy Fogel.

7 After considering the papers filed, and oral argument presented, in support of and
8 opposition to the motion, and good cause appearing therefor,

9 **IT IS HEREBY ORDERED** that the Defendants' Motion to Dismiss Consolidated Class
10 Action Complaint is GRANTED with prejudice.

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12 DATED: _____

HONORABLE JEREMY FOGEL

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